

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel.)
LOUIS LONGO,)

Plaintiff-Relator)

v.)

Case No. 2:17-cv-01654-MJH

WHEELING HOSPITAL, INC.,)
R&V ASSOCIATES, LTD., and)
RONALD L. VIOLI)

Defendants.)

DECLARATION OF JIM MURDY

I, Jim Murdy, hereby declare as follows:

1. I am an adult over the age of eighteen (18) and a resident of the State of Ohio.
2. The information contained in this Declaration is based on my personal knowledge.

If called to testify, I would state as follows:

3. I am the Chief Financial Officer of Wheeling Hospital (“Hospital”) in Wheeling, West Virginia.

4. The Hospital’s Chief Executive Officer, Ronald L. Violi, has an apartment in Wheeling, West Virginia where he lived during the week while working at the Hospital.

5. In my position as the Chief Financial Officer, most of my work is performed at the Hospital’s campus in Wheeling, where my office is located.

6. Most of the Hospital’s financial books, records and files pertaining to this case are maintained at the Hospital in Wheeling, including documents and communications relating to Medicare claims, physician contracts and other agreements, physician compensation and payments, and other financial records. In addition, most of the financial information and related

documents sought by a Civil Investigation Demand which the Government served on the Hospital in early 2018, prior to the Government's intervention in this case, are kept at the Hospital in Wheeling.

7. If I had to testify or attend court proceedings in this case in Pittsburgh, Pennsylvania, it would be disruptive to my professional work on behalf of the Hospital. As the Hospital's Chief Financial Officer, I have a busy schedule that requires me to be in my office at the Hospital.

8. If I were required to testify at trial or attend other court proceedings in this case, it would be more convenient if the case were in Wheeling, West Virginia because the federal courthouse in Wheeling, located at 1125 Chapline Street, is much closer to the Hospital than federal courthouse in Pittsburgh. This would lessen my travel-related lost work time and other professional disruptions in carrying out my responsibilities for the Hospital because I could work at my office before and/or after my court appearances. In addition, if I had to testify or otherwise appear in court in Wheeling, I quickly could return to the Hospital if I had to respond to any time-sensitive matters that required my immediate attention.

9. If called to testify in this case, I would further testify regarding relevant financial matters pertaining to the Hospital, allegations contained in the Government's Complaint that refer to me, and other aspects of the Hospital's finances and operations relating to this case.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 9, 2019
in Wheeling, West Virginia


Jim Murdy